

FILED 29 JUNE 1959

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, personally appeared Pat J. Kroell, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Pat J. Kroell. I was born August 29, 1870, and have lived in Montevallo, Shelby County, Alabama, continuously since 1874 until the present date.

I have been familiar with the possession and ownership of the following described property, which is located just outside the corporate limits of the town of Montevallo, since prior to 1880:

PARCEL NO. 1: Commence at the southeast corner of Section 16, Township 22 South, Range 3 West, and run thence West along the South line of said Section 16 a distance of 646.84 feet; thence turn an angle of 88 deg. 14 min. to the right and run a distance of 1303.54 feet; thence turn an angle of 27 deg. 55 min. to the left and run a distance of 413.47 feet to a point on the west right of way line of the Montevallo-Ashville highway (which said point is 94.06 feet southwest along said right of way of said highway from a concrete highway marker or post marked P. C. 69 / 04.7); thence turn an angle of 96 deg. 10 min. to the left and run along the said right of way line a distance of 130.94 feet to the point of beginning of the lot herein described; thence turn an angle of 88 deg. 39 min. to the right and run a distance of 110.80 feet; thence turn an angle of 51 deg. 40 min. to the left and run a distance of 159.31 feet; thence turn an angle of 128 deg. 20 min. to the left and run a distance of 206.66 feet to the West right of way line of the Montevallo-Ashville highway; thence turn an angle of 88 deg. 39 min. to the left and run along the West right of way line of said highway a distance of 125.00 feet to the point of beginning. Situated in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 22 South, Range 3 West, Shelby County, Alabama.

PARCEL NO. 2: Commence at the Southeast corner of Section 16, Township 22 South, Range 3 West, and run thence West along the South line of said Section 16 a distance 646.84 feet; thence turn an angle of 88 deg. 14 min. to the right and run a distance of 1303.54 feet; thence turn an angle 27 deg. 55 min. to the left and run a distance of 413.47 feet to a point on the west right of way line of the Montevallo-Ashville highway (which said point is 94.06 feet southwest along said right of way of said highway from a concrete highway marker or post marked P. C. 69 / 04.7); thence turn an angle of 96 deg. 10 min. to the left and run along the said right of way line a distance of 130.94 feet to the point of beginning of the lot herein described; thence turn an angle of 88 deg. 39 min. to the right and run a distance of 110.80 feet; thence turn an angle of 128 deg. 20 min. to the right and run a distance of 180.03 feet to a point on the north right of way of the Montevallo-Ashville paved road; thence turn an angle of 142 deg. 01 min. to the right and run along the north boundary of the Montevallo-Ashville paved road 114.00 feet to the point of beginning.

PARCEL NO. 3: Commence at the SW corner of the SE $\frac{1}{4}$ of Section 16, Township 22, Range 3 West, and run East 545 feet; thence North 548 feet to a point on the North side of the Montevallo-Ashville road; thence continue North 1113 feet; thence East 636 feet; thence SE and perpendicular to the Montevallo-Ashville road 220 feet to the point of beginning of the parcel herein described; thence continue SE perpendicular to said road 140 feet to the

northern boundary of the said road; thence SW along the northern boundary of the said road 300 feet; thence NW perpendicular to the said road 140 feet; thence NE parallel to the said road 300 feet to the point of beginning of the parcel herein described. Said parcel being a part of the SE $\frac{1}{4}$ of Section 16, Township 22, Range 3 West, Situated in Shelby County, Alabama. LESS AND ACCEPT that portion of the above described lot lying in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 16, Township 22, Range 3 West.

I remember when Jacob Perry owned and possessed all of said property prior to 1880. Jacob Perry used said property, together with other adjacent and adjoining property, for farm purposes. I remember when Jacob Perry conveyed said property together with other property to his son, William G. Perry, about 1880. It is my recollection that said William G. Perry died some time after said conveyance from his father and prior to 1888, and that said property was conveyed by some of the heirs at law of said William G. Perry to Frank Moody, Sr. around 1900 or shortly thereafter. I do remember when said Frank Moody, Sr. purchased and went into possession of said property, and it has been called to my attention that the public records of Shelby County, Alabama, show that Mary P. Nichols conveyed said property to said Frank Moody, Sr. (Deed Book 34, Page 413). I do know that the Nichols' family was related to said William G. Perry, that said property was in open, adverse, peaceable, exclusive, continuous, possession of either said William G. Perry, or his family, or members of the Nichols' family, from the time when said William G. Perry received his conveyance in 1880 until said Frank Moody, Sr. purchased said property in 1900, or shortly thereafter, as aforesaid. I remember the above described property, and the fact that said property was in the adverse possession of individuals since prior to 1880 because of the fact that my father, George Kroell, purchased approximately forty acres lying a short ways north of the said property in 1887 from Nannie T. Nichols, said Nannie T. Nichols being a member of the Nichols' family which was related to said William G. Perry as aforesaid. I specifically remember the fact that said property was owned and possessed by either the family of said William G. Perry or the Nichols' family during the period just after my father bought the forty acres lying to the north as aforesaid because I remember hauling hay from my father's forty acres across the above described property and along the Montevallo-Ashville Road, which lies immediately south or southeast of said property. I remember when said Frank Moody, Sr. purchased said land as aforesaid, and when the heirs of Frank Moody, Sr. conveyed said property to J. C. Woolley in 1923, said Frank Moody, Sr. and his heirs having been in ^{said} exclusive, open, peaceable, continuous, adverse possession of said property during/period of time.

Said property was conveyed by the heirs of said J. C. Woolley to H. O. Wooley in 1945.

Parcel No. 1 and Parcel No. 2 were conveyed as one tract of land by H. O. Wooley and wife, Rosa Wooley, to Reese L. Wooley in 1953. Parcel No. 1 was conveyed by said Reese L. Wooley and wife, Azalia Wooley to Reese L. Wooley, Jr. and wife, Carolyn Frances Wooley, during the early months of 1959. Parcel No. 2 is still owned at the present time by said Reese L. Wooley.

Parcel No. 3 was conveyed by Mrs. Rosa G. Wooley, who is the widow of said H. O. Wooley, to Virgil Harris and wife, Janay Harris, in December, 1958.

I never heard of the State of Alabama, nor ^{any} person or persons, nor any corporation, owning, or possessing, or claiming to own, any part of the above described property except the above specified owners. Said property has been used for either farming or timber purposes, or has been vacant land with no improvements situated thereon, since I can first remember said property, prior to 1880, when Jacob Perry owned and possessed the same.

Pat. J. Kroell

Sworn to and subscribed before me this 18th day of June, 1959.



Mary Lee Mahaffey
Notary Public

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STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, here by certify that the within Deed was filed for record the 29 day of June 19 59 at 2 o'clock P. M. and recorded in Deed Record 202 at page 323 and the Mortgage Tax and Deed Tax has been paid.

Conrad M. Fowler